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 Roots Ready Made Garments Co. W.L.L.

**IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA**

ROOTS READY MADE GARMENTS CO.
 W.L.L.,

Plaintiff,

v.

THE GAP, INC., a/k/a, GAP, INC., GAP
 INTERNATIONAL SALES, INC., BANANA
 REPUBLIC, LLC, AND OLD NAVY, LLC,

Defendants.

Case No: C 07 3363 CRB

MISCELLANEOUS ADMINISTRATIVE
 REQUEST TO FILE DOCUMENTS
 UNDER SEAL; [PROPOSED] ORDER

Date: February 15, 2008
 Time: 10:00 a.m.
 Place: Courtroom 8, 19th Floor
 Judge: Charles R. Breyer

Pursuant to Local Rule 79-5(c), Roots Ready Made Garments Co., W.L.L.

("Roots") hereby makes this Miscellaneous Administrative Request to File two documents
 Under Seal.

Roots' Motion For An Order Upholding Confidentiality Designations

("Confidentiality Motion") refers to two confidential documents that Roots has designated
 confidential under the terms of the Protective Order entered by the Court on August 7, 2007: (i)
 a May 12, 2002 agreement between Roots and Gabana Gulf Distribution Ltd.; and (ii) a May 12,

1 2003 Letter of Understanding between those parties (the "Documents"). The Documents
2 contain confidential business information, and Roots' business interests would be adversely
3 affected if the contents of the Documents were revealed to third parties outside this litigation.
4 Defendants previously submitted copies of the Documents under seal, as Ex. D to Gap's
5 Request for Judicial Admission, dated August 13, 2007.

6 The Declaration of Kifah Balawi In Support of Plaintiff's Confidentiality Motion
7 ("Balawi Declaration") also refers to and describes the content of the Documents. In addition,
8 the Balawi Declaration describes negotiations Roots is currently conducting with third parties
9 concerning a potential agreements authorizing Roots to distribute certain brands of apparel in
10 the Middle East. Mr. Balawi explains that the negotiations are strictly confidential and that
11 disclosure to third parties would seriously undermine Roots' prospect of consummating the
12 agreements.

13 Accordingly, Roots respectfully requests

14 (i) that the sealed version of the Confidentiality Motion, which refers to the
15 contents of the Documents, be lodged in accordance with Civil Local Rule 79-5(c). Roots has
16 also prepared a public version of the Confidentiality Motion, which will be filed electronically.
17 In the public version, Roots redacted only those portions of the Confidentiality Motion that refer
18 to the contents of the Documents.

19 (ii) that the Balawi Declaration be lodged under seal in accordance with Civil
20 Local Rule 79-5(b).

21
22 Respectfully submitted,

23
24 Dated: January 7, 2008

COVINGTON & BURLING LLP

25
26 /s/
RICHARD A. JONES

1 **IT IS SO ORDERED.**

2 Dated: _____

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4 BY: _____
5 CHARLES R. BREYER
6 United States District Judge
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